

Message Text

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DRAFTED BY SCI/SA:AERICHMOND:LER

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EUR/CAN - MR. HEG (INFO)

EUR/WE - MR. MAGEE (INFO)

L/OES - MR. BURTON (INFO)

L/T - MRS. MCDOWELL (INFO)

DEP. ATT. GEN. - T. WOOD

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O R 312159Z MAY 74

FM SECSTATE WASHDC

TO CINCPAC HONOLULU HI IMMEDIATE

INFO AMEMBASSY OTTAWA

AMEMBASSY PARIS

UNCLAS STATE 114938

E.O. 11652: N/A

TAGS: TGEN, TPHY, FR, CN

SUBJECT: FRANCE-CANADA-HAWAII TELESCOPE

REF: RICHMOND/WOOD TELCON

CINCPAC PASS DEP. ATTY. GEN. T. WOOD, UH, DRS. JEFFRIES
AND GARTER

1. DEPT OF STATE HAS RECEIVED IDENTICAL NOTES FROM THE
GOVTS OF FRANCE AND CANADA RE TELESCOPE PROJECTS. DEPT
AND HAWAII REPLIES DUE ASAP SO THAT SCHEDULED JUNE 6-7
MTG. OF THE TELESCOPE CORPORATION CAN TAKE PLACE. THE
GOF & GOC NOTES ASK FOR CONFIRMATION OF ACCEPTABILITY OF
THE TEXT OF THE TRIPARTITE AGREEMENT OF 22 FEB. 1974
BETWEEN THE PARTIES (CNRS, NRC, UH) CONCERNING THE
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CONSTRUCTION AND OPERATION OF THE TELESCOPE.

2. DEPT. UNDERSTANDS THAT HAWAIIAN AUTHORITIES FIND THE TEXT OF THE TRIPARTITE AGREEMENT SIGNED ON BEHALF OF UH BY DR. JEFFRIES ACCEPTABLE, INsofar AS IT IS CONCERNED (REFTELCON). DEPT. HAS NO OBJECTIONS TO TEXT OF AGREEMENT TO WHICH USG IS NOT A PARTY AND HAS NO RESPONSIBILITY AND WILL SO ADVISE GOF & GOC BY DEPT. NOTE.

3. DEPT. SUGGESTS THAT HAWAIIAN AUTHORITIES MAY WISH TO CONFIRM ACCEPTABILITY INsofar AS STATE OF HAWAII IS CONCERNED BY SUBSTANTIVELY IDENTICAL LETTERS ADDRESSED TO THE AMBASSADORS OF CANADA AND FRANCE RESPECTIVELY IN WASHINGTON D.C. AND SIGNED BY APPROPRIATE AUTHORITY. THESE LETTERS MAY BE FORWARDED TO STATE/SCI (RICHMOND). IT WOULD BE HIGHLY DESIRABLE TO HAVE LETTERS IN WASH. BY JUNE 6 IF AT ALL POSSIBLE. LETTERS SHOULD BE ADDRESSED RESPECTIVELY TO (1) HIS EXCELLENCY MARCEL CADIEUX, AMBASSADOR OF CANADA, 1746 MASSACHUSETTS AVENUE, NORTHWEST, WASHINGTON, D.C. 20036 (2) HIS EXCELLENCY JACQUES KOSCIUSKO-MORIZET, AMBASSADOR OF FRANCE, 2535 BELMONT ROAD, NORTHWEST, WASHINGTON, D.C. 20008.

4. IF RECEIPT OF LETTERS IN WASH. BY JUNE 6 NOT POSSIBLE, DEPT. WOULD APPRECIATE AUTHORIZED TELEGRAPHIC CONFIRMATION OF ACCEPTABILITY BY JUNE 6. DEPT. WOULD ADVISE GOF & GOC AND TRANSMIT TEXT. LETTERS WOULD FOLLOW. FYI. GOF CONSIDERS RECEIPT OF REPLY BY JUNE 6 ESSENTIAL TO HOLDING CORP. MTG. JUNE 6,7.

5. ENGLISH TEXT OF CANADIAN NOTE BELOW. BOTH GOF & GOC NOTES HAVE ANNEXED INFORMATION COPIES OF EXCHANGE OF NOTES BETWEEN GOF & GOC RE TELESCOPE PROJECT. THESE ANNEXES BEING MAILED. FYI. TEXT OF GOC NOTE FOLLOWS:

"THE EMBASSY OF CANADA PRESENTS ITS COMPLIMENTS TO THE DEPARTMENT OF STATE AND HAS THE HONOUR TO BRING TO ITS ATTENTION THE FOLLOWING:

AFTER AN EXCHANGE OF NOTES OF SEPTEMBER 21, OCTOBER 1 AND OCTOBER 3, 1973 BETWEEN THE GOVERNMENT OF CANADA
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AND THE GOVERNMENT OF FRANCE, AND BETWEEN EACH OF THESE GOVERNMENTS AND THE GOVERNMENT OF THE UNITED STATES, THE NATIONAL RESEARCH COUNCIL OF CANADA (NRC), THE CENTRE NATIONAL DE LA RECHERCHE SCIENTIFIQUE OF FRANCE (CNRS) AND THE UNIVERSITY OF HAWAII SIGNED, ON OCTOBER 25, 1973, A MEMORANDUM INTENDED TO GOVERN, ON AN INTERIM BASIS, THE PROJECT OF CONSTRUCTION AND UTILIZATION OF A TELESCOPE ON MAUNA KEA (HAWAII).

THE GOVERNMENT OF CANADA NOTES THAT THE RELEVANT SCIENTIFIC AGENCIES HAVE, IN CONFORMITY WITH THE ABOVE MENTIONED EXCHANGE OF NOTES, ELABORATED AND APPROVED A TRIPARTITE AGREEMENT AMONG THE NRC OF CANADA, THE CNRS OF FRANCE AND THE UNIVERSITY OF HAWAII CONCERNING THE CONSTRUCTION AND OPERATION OF THE TELESCOPE (ANNEX I).

THE GOVERNMENT OF CANADA APPROVES THIS TEXT WHICH WILL SERVE TO REGULATE RELATIONS AMONG THE NRC OF CANADA, THE CNRS OF FRANCE, AND THE UNIVERSITY OF HAWAII DURING THE COURSE OF THE DEFINITIVE PHASE OF CONSTRUCTION OF THE

TELESCOPE AND DURING ITS PERIOD OF OPERATION.

IF THIS TEXT IS ACCEPTABLE TO THE GOVERNMENT OF THE UNITED STATES AND THE GOVERNMENT OF THE STATE OF HAWAII, INSOFAR AS THEY ARE RESPECTIVELY CONCERNED, THE GOVERNMENT OF CANADA PROPOSES THAT, THIS NOTE, ITS ANNEXES, THE FAVOURABLE RESPONSE OF THE GOVERNMENT OF THE UNITED STATES, INCLUDING AS A PART THEREOF THE APPROVAL OF THE STATE OF HAWAII IN ITS AREA OF COMPETENCE, THE EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF FRANCE (ANNEX II) ON THE SAME SUBJECT, SHALL EXPRESS APPROVAL, ON THE PART OF THESE GOVERNMENTS, OF PARTICIPATION OF THE SCIENTIFIC AGENCIES IN THE CREATION OF THE CANADA-FRANCE-HAWAII TELESCOPE CORPORATION.

THIS APPROVAL WILL BE CONSIDERED AS ACCORDED FROM THE DATE OF RECEIPT OF THE RESPONSE OF THE GOVERNMENT OF THE UNITED STATES TO THE GOVERNMENT OF CANADA AND TO THE GOVERNMENT OF FRANCE BY MEANS OF WHICH THE GOVERNMENT OF THE UNITED STATES INDICATES ITS AGREEMENT TO THE PRESENT UNCLASSIFIED

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NOTE AND TO THE IDENTICAL NOTE ADDRESSED TO IT BY THE GOVERNMENT OF FRANCE; FROM THAT DATE THE SCIENTIFIC AGENCIES SHALL BE CONSIDERED AS AUTHORIZED TO PARTICIPATE IN THE ESTABLISHMENT OF THE CANADA-FRANCE-HAWAII TELESCOPE CORPORATION AND THE INTERIM PHASE MENTIONED IN THE NOTES OF SEPTEMBER 21, OCTOBER 1 AND OCTOBER 3 WILL BE DEEMED TERMINATED.

THE GOVERNMENT OF CANADA WILL NOTIFY THE GOVERNMENT OF THE UNITED STATES OF THE DATE ON WHICH IT RECEIVES THE RESPONSE OF THE GOVERNMENT OF THE UNITED STATES.

THE EMBASSY OF CANADA AVAILS ITSELF OF THIS OPPORTUNITY TO RENEW TO THE DEPARTMENT OF STATE THE ASSURANCES OF ITS HIGHEST CONSIDERATION. MAY 17, 1974 WASHINGTON, D.C. KISSINGER

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